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10/634,734	08/04/2003	Antti Kiiveri	915-008.012	6648

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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2432

MAIL DATE	DELIVERY MODE
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04/05/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/634,734	Applicant(s) KIIVERI ET AL.	
	Examiner Venkat Perungavoor	Art Unit 2432	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8,10-14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-8,10-14,16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

The Applicant argument regarding the 35 USC 112 rejection is persuasive and is being withdrawn.

Applicant's arguments filed 1/24/2011 have been fully considered but they are not persuasive.

The Applicant argues two points with regard to the rejection. First, the Applicant believes that Barrenscheen(US Patent Pub 2002/0184523) does not disclose the storage area having protected data. And second, the Barrenscheen does not disclose the first operating mode to access the storage area.

The Examiner respectfully disagrees. Barrenscheen discloses a flash area containing code-words and applications required for intended application of the unit see Par. 0037. And further this code-word is used to unlock the flash memory for read/writing see Par. 0044-0045, this implies that the security data as recited in the claims is met by Barrenscheen. In that, the security data is being stored in flash memory which includes the code-words, and application required for intended application, e.g. decryptor or another security-related program.

The Applicant's second argument is also not valid. As Barrenscheen discloses a bootstrap loader mode where the reprogram of flash memory containing security data is disclosed see Par. 0066. And in this mode the reading and writing for reprogram of flash memory is done.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-8, 10-14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Pub 2002/0184523 to Barrenscheen in view of US Patent Pub 2002/0166062 to Helbig Sr.

Regarding Claim 1, Barrenscheen discloses Circuitry for providing data security, which circuitry contains at least one processor, at least one storage circuit, authentication means arranged to authenticate software provided to the circuitry, and which circuitry comprises:

at least one storage area in said storage circuit, in which storage area protected data relating to security functions of the circuitry and protected applications are located see Par. 0016;

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mode setting means arranged to set said processor in one of at least two different operating modes, the mode setting means being capable of altering the processor operating mode see Par. 0071;

storage circuit access control means arranged to enable said processor to access said storage area in which said protected data are located when a first processor operating mode is set see par. 0066 & Par. 0062; and

storage circuit access control means arranged to prevent said processor from accessing said storage area in which said protected data are located when a second processor operating mode is set, thereby enabling said at least one processor to execute non-verified software downloaded into the circuitry, wherein said second processor operating mode is set when testing or debugging is performed see Par. 0065 & Par. 0059 & Par. 009.

But Barrenscheen does not disclose the authentication of software. However, Helbig discloses the only authenticated software authenticated by said authentication means and said protected applications have access to said protected data see Par. 0016.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the authentication of software in the invention of Barrenscheen in order to have thwart attacks and corruption of sensitive data as taught in Helbig see Par. 008.

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Regarding Claim 2, 8, 14, Barrenscheen does not disclose the timer. However, Heilbig discloses The circuitry for providing data security according to claim 1, further comprising:

a timer arranged to control a time period during which the processor is in said second operating mode see Par. 0150.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include a timer in the invention of Barrenscheen in order to have state like process for different modes as taught in Heilbig see Par. 0057.

Regarding Claim 4. 10, 16, Barrenscheen discloses The circuitry for providing data security according to claim 1, further comprising: means arranged to indicate in which mode the processor is operating see Par.. 0061.

Regarding Claim 5. 11, 17, Barrenscheen discloses The circuitry for providing data security according to claim 1, wherein said mode setting means comprise an application program see Par. 0052.

Regarding Claim 6. 12, 18, Barrenscheen discloses The circuitry for providing data security according to claim 1, which circuitry is comprised in a mobile telecommunication terminal see Par. 009.

Regarding Claim 7. Barrenscheen discloses A method, comprising:

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storing protected data relating to security functions of circuitry and protected applications in a storage circuit see Par. 0016;

setting a processor in one of at least two different alterable operating modes see Par. 0055-0059;

enabling said processor to access said storage area in which said protected data are located when a first processor operating mode is set see par. 0066 & Par. 0062; and

preventing said processor from accessing said storage area in which said protected data are located when a second processor operating mode is set, thereby enabling said at least one processor to execute non-verified software downloaded into the circuitry, wherein said second processor operating mode is set when testing or debugging is performed see Par. 0065 & Par. 0059 & Par. 009.

But Barrenscheen does not disclose the authentication of software. However, Helbig discloses the only authenticated software authenticated by said authentication means and said protected applications have access to said protected data see Par. 0016.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the authentication of software in the invention of Barrenscheen in order to have thwart attacks and corruption of sensitive data as taught in Helbig see Par. 008.

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Regarding Claim 13. Barrenscheen discloses Data security circuitry for providing data security, which data security circuitry contains at least one processor, at least one storage circuit, authentication circuitry arranged to authenticate software provided to the data security circuitry and which data security circuitry comprises:

at least one storage area in said storage circuit, in which storage area protected data relating to security functions of said data security circuitry and protected applications are located see Par. 0016 ;

mode setting circuitry arranged to set said processor in one of at least two different operating modes, the mode setting circuitry being capable of altering the processor operating mode see Par. 0055-0059;

storage circuit access control circuitry arranged to enable said processor to access said storage area in which said protected data are located when a first processor operating mode is set see par. 0066 & Par. 0062; and

storage circuit access control circuitry arranged to prevent said processor from accessing said storage area in which said protected data are located when a second processor operating mode is set, thereby enabling said at least one processor to execute non-verified software downloaded into the data security circuitry for providing data security, wherein said second processor operating mode is set when testing or debugging is performed see Par. 0065 & Par. 0059 & Par. 009.

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But Barrenscheen does not disclose the authentication of software. However, Helbig discloses the only authenticated software authenticated by said authentication means and said protected applications have access to said protected data see Par. 0016.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the authentication of software in the invention of Barrenscheen in order to have thwart attacks and corruption of sensitive data as taught in Helbig see Par. 008.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./
Examiner, Art Unit 2432
March 29, 2011

/Minh Dinh/
Primary Examiner, Art Unit 2432